

**(63 Vic. No. 9.) RECENT “REPEALS”**

## UNLAWFULLY REPEALED STATUTES

Arranged over the following few pages: introductions of **THE CRIMINAL CODE, 1899** from the **REFORMATION PROJECT (63 Vic.No.9.) TRANSCRIPT** which is a composite of a King George V Era publication and a 1984 archivalised version. These previous appear to belong to the colony-State of Queensland. Another version, a Commonwealth version has been in effect since the first day of January 1901. There appears to be no Federally promulgated version of this Act available to study, and no mention of such has been located. **(63 Vic. No. 9.)** has recently been buried beneath a false act after having been butchered by criminally imbecilic madmen.

The purpose of this exhibit is to emphasise the unlawful practice of targeted repeal (which is effectively sabotage): nearly all of the **(repeals)** have taken place between 2012 and 2018. Most of the listed repeals are taken from the **austlii** version of 2018... (see **cc189994 Act9 of 1899.txt**). (List may not be complete.)

(63 Vic. No. 9.)

## THE CRIMINAL CODE ACT OF 1899

An Act to Establish a Code of Criminal Law

[Assented to 28 November, 1899]

&

## THE CRIMINAL CODE OF 1899

[Act to Consolidate, Amend and Declare the Criminal Law]

[Commenced 1 January 1901]

AS AMENDED BY

The Criminal Code Correction of Errors Act of 1900 (64 Vic. No. 7).  
The Statute Law Revision Act of 1908 (8 Edw. VII. No. 18).  
The Criminal Code Amendment Act of 1913 (4 Geo. V. No. 23).  
The Criminal Code Amendment Act of 1913 (No. 2) (4 Geo. V. No. 25).  
The Criminal Code Amendment Act of 1914 (5 Geo. V. No. 22).  
The Criminal Code Amendment Act of 1922 (13 Geo. V. No. 2).  
The Criminal Code Amendment Act of 1922 (No. 2) (13 Geo. V. No. 2).  
The State Children Acts Amendment Act of 1928 (19 Geo. V. No. 19).  
The Art Union Regulation Act of 1930 (21 Geo. V. No. 11).  
The Criminal Code (Prohibition of Secret Commissions) and  
Further Amendment Act of 1931 (22 Geo. V. No. 40).  
The Industrial Conciliation and Arbitration Act of 1932 (23 Geo. V. No. 36).  
The Dairy Produce Acts and Other Acts Amendment Act of 1934 (25 Geo. V. No. 11).  
Criminal Code Act Amendment Act of 1939 (3 Geo. 6 No. 28).  
Criminal Code Amendment Act of 1943 (7 Geo. 6 No. 14).  
Criminal Law Amendment Act of 1945 (9 Geo. 6 No. 11).  
Criminal Code Amendment Act of 1946 (10 Geo. 6 No. 22).  
Criminal Law Amendment Act of 1946 (11 Geo. 6 No.).  
Criminal Law Amendment Act of 1948 (12 Geo. 6 No. 48).  
Traffic Act of 1949 (13 Geo. 6 No. 26, Section 24).

(63 Vic. No. 9.)

## THE CRIMINAL CODE ACT OF 1899

An Act to Establish a Code of Criminal Law

[Assented to 28 November, 1899]

&

## THE CRIMINAL CODE OF 1899

[Act to Consolidate, Amend and Declare the Criminal Law]

[Commenced 1 January 1901]

AS AMENDED BY

Elections Acts and the Criminal Code Amendment Act of 1952 (1 Eliz. 2 No.4 Part III)  
Criminal Code and Justices Acts Amendment Act of 1956 (5 Eliz. 2 No.5)  
Criminal Code Amendment Act of 1957 (6 Eliz. 2 No. 1)  
Criminal Code and Other Acts Amendment Act of 1961 (10 Eliz. 2 No.11)  
Criminal Code Amendment Act of 1964, No. 14  
Criminal Code Amendment Act 1968, No. 44  
Criminal Code and the Offenders Probation and Parole Act Amendment Act 1971, No. 41  
Elections Act and The Criminal Code Amendment Act 1973, No. 8  
Commenced 1 July 1973 (Proc. pubd. Gaz. 19 May 1973, p. 476).  
Criminal Code Amendment Act 1973, No. 53  
Criminal Code and the Justices Act and Another Act (Stock Offences) Amendment Act 1973, No. 88  
Commenced 1 April 1974 (Proc. pubd. Gaz. 16 February 1974, p. 687).  
Public Defence Act 1974, No.3  
Commenced 1 July 1974 (Proc. pubd. Gaz. 15 June 1974, p. 997).  
Age of Majority Act 1974, No. 57  
Commenced 1 March 1975 (Proc. pubd. Gaz. 16 November 1974, p. 1083).  
Limitation of Actions Act 1974, No. 75  
Criminal Code and the Justices Act Amendment Act 1975, No. 27  
Criminal Code Amendment Act 1976, No. 25  
Jury Act and other Acts Amendment Act 1976, No. 39, Part IV  
Part IV commenced 30 August 1976 (Proc. pubd. Gaz. 24 July 1976, p. 1718).  
Justices Act and The Criminal Code Amendment Act 1977, No. 13, Part III  
Part III commenced 1 July 1977 (Proc. pubd. Gaz. 18 June 1977, p. 1050).  
Evidence Act 1977, No. 47  
Justices Act and The Criminal Code Amendment Act 1978, No. 10, Part III  
Status of Children Act 1978, No. 30  
Criminal Law Amendment Act 1979, No. 2, Part II  
Part II commenced 7 April 1979 (Proc. pubd. Gaz. 7 April 1979, p. 1359).  
Bail Act 1980, No. 35, s. 4 (1) First Sch.  
Commenced 1 July 1980 (Proc. pubd. Gaz. 28 June 1980, p. 1634).  
Criminal Law Amendment Act 1982, No. 34  
Criminal Law Amendment Act 1982 (No. 2), No. 59  
Criminal Code Amendment Act 1984, No. 28 ss. 1, 2  
Commenced on date of Assent.  
Act (except ss. 1, 2) commenced 1 July 1984 (Proc. pubd. Gaz. 30 June 1984, p. 1475).  
Criminal Code and Bail Act Amendment Act 1984, No. 32

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

[Section 2.]

**THE FIRST SCHEDULE**

**THE CRIMINAL CODE OF QUEENSLAND**

The amendments shown by square brackets and ellipses in the following table of sections have been made in Pursuance of s. 29A of the Acts Shortening Act of 1867 (title *ACTS*) in order to bring the table into conformity with amendments from time to time made to the Code.

**PART I-INTRODUCTORY**

**INTERPRETATION: APPLICATION: GENERAL PRINCIPLES**

**CHAPTER I-INTERPRETATION**

1. Construction of terms.
2. Definition of offence.
3. Division of offences.
4. Attempts to commit offences.
5. Arrest without warrant.
6. Carnal knowledge.

**CHAPTER II-PARTIES TO OFFENCES**

7. Principal offenders.
8. Offences committed in prosecution of common purpose.
9. Mode of execution immaterial.
10. Accessories after the fact.

**CHAPTER III-APPLICATION OF CRIMINAL LAW**

11. Effect of changes in law.
12. Application of Code as to offences wholly or partially committed in Queensland.
13. Offences procured or counselled by persons out of Queensland.
14. Offences procured in Queensland to be committed out of Queensland.
- 14A. (repealed) Offences committed on the High Seas
15. Defence Force.
16. Person not to be twice punished for same offence.
17. Former conviction or acquittal.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART I-INTRODUCTORY**

**INTERPRETATION: APPLICATION: GENERAL PRINCIPLES**

**CHAPTER IV-PUNISHMENTS**

- 18. Kinds of punishment.
- 19. (repealed) Construction of provisions of Code as to punishments.
- 20. (repealed) Calculation of term of sentence: Cumulative sentences: Escaped prisoners.
- 21. (repealed) Prerogative.

**CHAPTER V-CRIMINAL RESPONSIBILITY**

- 22. Ignorance of law: *Bonâ fide* claim of right.
- 23. Intention: Motive.
- 24. Mistake of fact.
- 25. Extraordinary emergencies.
- 26. Presumption of sanity.
- 27. Insanity.
- 28. Intoxication.
- 29. Immature age.
- 30. Judicial officers.
- 31. Justification and excuse: Compulsion.
- 32. Compulsion of husband Compulsion.
- 33. No conspiracy between husband and wife alone.
- 34. Offences by partners and members of companies with respect to partnership or corporate property.
- 35. Liability of husband and wife for offences committed by either with respect to the other's property.
- 36. Application of rules.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART II-OFFENCES AGAINST PUBLIC ORDER**

**CHAPTER VI-TREASON AND OTHER OFFENCES AGAINST THE  
SOVEREIGN'S PERSON AND AUTHORITY**

- 37. (repealed) Treason.
- 38. (repealed) Concealment of treason.
- 39. (repealed) Reasonable crimes.
- 40. (repealed) Time for proceeding in cases of treason or concealment of treason:  
Two witnesses necessary.
- 41. (repealed) Inciting to mutiny.
- 42. (repealed) Assisting escape of prisoners of war.
- 43. (repealed) Overt act.

**CHAPTER VII-SEDITION**

- 44. Definition of seditious intention.
- 45. Innocent intentions.
- 46. Definition of seditious enterprises, &c.
- 47. (repealed) Unlawful oaths to commit [certain] crimes.
- 48. (repealed) Other unlawful oaths to commit offences.
- 49. (repealed) Compulsion, how far a defence.
- 50. (repealed) Effect of prosecution.
- 51. Unlawful drilling.
- 52. Sedition.
- 53. Defamation of foreign princes.

**CHAPTER VIII-OFFENCES AGAINST THE EXECUTIVE AND LEGISLATIVE POWER**

- 54. Interference with Governor or Ministers.
- [54A. Demands with menaces upon agencies of government.]  
Heading inserted by Act of 1984, No. 32, s. 3.  
s. 54A inserted by Act of 1984, No. 32, s. 3.
- 55. Interference with the Legislature.
- 56. Disturbing the Legislature.
- [56A. Disturbance in House when Parliament not sitting.]  
[Inserted by Act of 1939, 3 Geo. 6 No. 28, s. 2.]
- [56B. Going armed to Parliament House.]  
[Inserted by Act of 1939, 3 Geo. 6 No. 28, s. 2.]
- 57. False evidence before Parliament.
- 58. Witnesses refusing to attend or give evidence before parliamentary committee.
- 59. Member of Parliament receiving bribes.
- 60. Bribery of Member of Parliament.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART II-OFFENCES AGAINST PUBLIC ORDER**

**CHAPTER IX-UNLAWFUL ASSEMBLIES: BREACHES OF THE PEACE**

- 61. Definitions.
- 62. (repealed) Punishment of unlawful assembly.
- 63. (repealed) Punishment of riot.
- 64. (repealed) Rioters remaining after Proclamation ordering them to disperse.
- 65. (repealed) Rioters demolishing buildings, &c.
- 66. (repealed) Rioters injuring building, machinery, &c.
- 67. (repealed) Smuggling or rescuing goods under arms.
- 68. (repealed) Smuggling under arms or in disguise.
- 69. Going armed so as to cause fear.
- 70. Forcible entry.
- 71. Forcible detainer.
- 72. Affray.
- 73. Challenge to fight a duel.
- 74. Prize fight.
- 75. Threatening violence.
- 76. Assembling for the purpose of smuggling.
- 77. Unlawful processions.

**CHAPTER X-OFFENCES AGAINST POLITICAL LIBERTY**

- 78. Interfering with political liberty.

**CHAPTER XI-PIRACY**

- 79. Definition of piracy in general.
- 80. Further definition of pirates.
- 81. (repealed) Punishment of piracy.
- 82. (repealed) Attempted piracy with personal violence.
- 83. (repealed) Aiding pirates.



(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III-OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XII-DISCLOSING OFFICIAL SECRETS**

- 84. (repealed) Disclosure of secrets relating to defences by public officers.
- 85. Obtaining disclosure of secrets relating to defences.
- 86. Disclosure of other official secrets.

**CHAPTER XIII-CORRUPTION AND ABUSE OF OFFICE**

- 87. Official corruption.
- 88. Extortion by public officers.
- 89. Public officers interested in contracts.
- 90. Officers charged with administration of property of a special character or with special duties.
- 91. False claims by officials.
- 92. Abuse of office.
- 93. Corruption of surveyor and valuator.
- 94. False certificates by public officers.
- 95. Administering extra-judicial oaths.
- 96. False assumption of authority.
- 97. Personating public officers.

**CHAPTER XIV-CORRUPT AND IMPROPER PRACTICES AT ELECTIONS**

- 98. Definitions.
- 99. Personation.
- 100. Double voting.
- 101. Treating.
- 102. Undue influence.
- 103. Bribery.
- 104. Further penalty for corrupt practices.
- 105. (repealed) Illegal practices.
- 106. (repealed) Other illegal practices.
- 107. Corrupt and illegal practices: Time.
- 108. Interference at elections.
- 109. Electors attempting to violate secrecy of ballot.
- 110. Other attempts of like kind.
- 111. Stuffing ballot-boxes.
- 112. Offences by presiding officers at elections.
- 113. False answers to questions at elections.
- 114. Interfering with secrecy at elections.
- 115. (repealed) Breaking seal of packets used at elections.
- 116. (repealed) Offences at elections when voting is by post.
- 117. (repealed) False claims.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III-OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XV-SELLING AND TRAFFICKING IN OFFICES.**

118. Bargaining for offices in Public Service.

**CHAPTER XVI-OFFENCES RELATING TO THE ADMINISTRATION OF JUSTICE**

- 119. Definition of judicial proceeding.
- 120. Judicial corruption.
- 121. Official corruption not judicial but relating to offences.
- 122. Corrupting or threatening jurors.
- 123. Perjury.
- 124. Punishment of perjury.
- 125. Evidence on charge of perjury.
- 126. Fabricating evidence.
- 127. Corruption of witnesses.
- 128. Deceiving witnesses.
- 129. Destroying evidence.
- 130. Preventing witnesses from attending.
- 131. Conspiracy to bring false accusation.
- 132. Conspiring to defeat justice.
- 133. Compounding crimes.
- 134. (repealed) Compounding penal actions.
- 135. (repealed) Advertising a reward for the return of stolen property, &c.
- 136. Justices acting oppressively or when interested.
- 137. Delay to take person arrested before magistrate.
- 138. (repealed) Bringing fictitious action on penal statute.
- 139. Inserting advertisement without authority of court.
- 140. Attempting to pervert justice.

**CHAPTER XVII-ESCAPES: RESCUES: OBSTRUCTING OFFICERS OF COURTS**

- 141. Forcibly rescuing [certain] offenders.
- 142. Aiding prisoners to escape.
- 143. Escape by prisoner.
- 144. Permitting escape.
- 145. (repealed) Harboursing escaped prisoners.
- 146. (repealed) Rescuing insane persons.
- 147. Removing, &c., property under lawful seizure.
- 148. Obstructing officers of courts of justice.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III—OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XVIII—OFFENCES RELATING TO THE COIN**

- 149. (repealed) Definitions.
- 150. (repealed) Counterfeiting gold and silver coin.
- 151. (repealed) Preparation for coining gold and silver coin.
- 152. (repealed) Clipping.
- 153. (repealed) Possession of clippings.
- 154. (repealed) Uttering counterfeit gold or silver coin.
- 155. (repealed) Repeated uttering of counterfeit current gold or silver coin, or possession of several such coins.
- 156. (repealed) Offences after previous conviction.
- 157. (repealed) Counterfeiting copper coin.
- 158. (repealed) Uttering base copper coin.
- 159. (repealed) Defacing coin by stamping words thereon.
- 160. (repealed) Uttering foreign coin, medals, &c., as current coin with intent to defraud.
- 161. (repealed) Exporting counterfeit coin.
- 162. (repealed) Having possession of more than five pieces of counterfeit foreign coin.
- 163. (repealed) Tender of defaced coin not legal tender: Penalty for uttering.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III—OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XIX—OFFENCES RELATING TO POSTS AND TELEGRAPHS**

- 164. (repealed) Stopping mails.
- 165. (repealed) Intercepting things sent by post or telegraph.
- 166. (repealed) Tampering with things sent by post or telegraph.
- 167. (repealed) Wilful misdelivery of things sent by post or telegraph.
- 168. (repealed) Obtaining letters by false pretences.
- 169. (repealed) Secreting letters.
- 170. (repealed) Fraudulent issue of money orders and postal notes.
- 171. (repealed) Fraudulent messages respecting money orders.
- 172. (repealed) Sending dangerous or obscene things by post.
- 173. (repealed) Retarding delivery of mails, &c.
- 174. (repealed) Obstructing mails.
- 175. (repealed) Penalty on mail-coach driver or guards loitering.
- 176. (repealed) Fraudulently removing stamps.
- 177. (repealed) Fraudulent evasion of postal laws.
- 178. (repealed) Carrying letters otherwise than by post.
- 179. (repealed) Illegally making postal envelopes or setting up post office or office for sale of stamps, or obstructing post office.
- 180. (repealed) Destroying or damaging letter receivers.
- 181. (repealed) Placing injurious substances in or against letter boxes.
- 182. (repealed) Obstructing post and telegraph offices.
- 183. (repealed) Obstructing post and telegraph officers in the execution of duty, &c.
- 184. (repealed) Interference with telegraphs.
- 185. (repealed) Attempt to injure telegraphs.
- 186. (repealed) Negligently injuring telegraphs.
- 187. (repealed) Violation of secrecy.
- 188. (repealed) Making charges for use of telegraph line without authority.
- 189. (repealed) Erection or maintenance of telegraph lines without authority.
- 190. (repealed) Obstructing possession of post and telegraph officers, &c.
- 191. (repealed) Resisting officers.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART III—OFFENCES AGAINST  
THE ADMINISTRATION OF LAW AND JUSTICE AND AGAINST PUBLIC AUTHORITY**

**CHAPTER XX—MISCELLANEOUS OFFENCES AGAINST PUBLIC AUTHORITY**

- [192. Repealed by The Criminal Code Amendment Act of 1922, s. 3 (xii), *post.*]
- 193. False statements in statements required to be under oath or solemn declaration.
- 194. False declarations and statements.
- 195. Evidence.
- 196. (repealed) Shooting at Customs boats or officers.
- 197. (repealed) Resisting officers engaged in preventing smuggling.
- 198. (repealed) Resisting Customs officers.
- 199. Resisting public officers.
- 200. Refusal by public officer to perform duty.
- 201. (repealed) Neglect of officers to suppress riot.
- 202. (repealed) Neglect to aid in suppressing riot.
- 203. (repealed) Neglect to aid in arresting offenders.
- 204. Disobedience to statute law.
- 205. Disobedience to lawful order issued by statutory authority.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART IV—ACTS INJURIOUS TO THE PUBLIC IN GENERAL**

**CHAPTER XXI—OFFENCES RELATING TO RELIGIOUS WORSHIP**

- 206. Offering violence to officiating ministers of religion.
- 207. Disturbing religious worship.

**CHAPTER XXII—OFFENCES AGAINST MORALITY**

- 208. (repealed) Unnatural offences.
- 209. (repealed) Attempt to commit unnatural offences.
- 210. Indecent treatment of boys under fourteen.
- 211. Indecent practices between males.
- 212. Defilement of girls under twelve.
- 213. Householder permitting defilement of young girls on his premises.
- 214. Attempt to abuse girls under ten.
- 215. Defilement of girls under [seventeen] and of idiots.
- 216. Indecent treatment of girls under [seventeen].
- 217. Procuration.
- 218. Procuring defilement of woman by threats, or fraud, or administering drugs.
- 219. Abduction of girl under eighteen with intent to have carnal knowledge.
- 220. (repealed) Unlawful detention with intent to defile or in a brothel.
- 221. Conspiracy to defile.
- 222. Incest by man.
- 223. (repealed) Incest by adult female.
- 224. Attempts to procure abortion.
- 225. The like by women with child.
- 226. Supplying drugs or instruments to procure abortion.
- 227. Indecent acts.
- 228. Obscene publications and exhibitions.
- 229. Knowledge of age immaterial.
- 229A. Indictable offences against morality that may be dealt with summarily

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART IV—ACTS INJURIOUS TO THE PUBLIC IN GENERAL**

**CHAPTER XXIII—NUISANCES: MISCONDUCT RELATING TO CORPSES**

- 230. Common nuisances
- 231. Bawdy houses
- 232. Gaming houses
- 233. Betting houses
- 234. Lotteries
- 235. Acting as keeper of bawdy houses, gaming houses, betting houses, and lotteries
- 236. Misconduct with regard to corpses

**CHAPTER XXIV—OFFENCES AGAINST PUBLIC HEALTH**

- 237. False information as to health of foreign ships
- 238. Exposing for sale things unfit for food
- 239. Dealing in diseased meat
- 240. Adulterating liquor
- 241. Adulteration of beverages

**CHAPTER XXV—MISCELLANEOUS OFFENCES**

- 242. Frauds on land laws
- 243. Dealing with land fraudulently acquired from the Crown
- 244. Fraudulent destruction or removal of goods liable to duty

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART V—OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS**

**CHAPTER XXVI—ASSAULTS AND VIOLENCE TO THE PERSON GENERALLY:  
JUSTIFICATION AND EXCUSE**

- 245. Definition of assault.
- 246. Assaults unlawful.
- 247. Execution of sentence.
- 248. Execution of process.
- 249. Execution of warrants.
- 250. Erroneous sentence or process or warrant.
- 251. Sentence or process or warrant without jurisdiction.
- 252. Arrest of wrong person.
- 253. Irregular process or warrant.
- 254. Force used in executing process or in arrest.
- 255. Duty of persons arresting.
- 256. Police officer preventing escape from arrest.
- 257. Other cases of preventing escape from arrest.
- 258. Preventing escape or rescue after arrest.
- 259. (repealed) Examination of person of accused persons in custody.
- 260. Preventing a breach of the peace.
- 261. Suppression of riot.
- 262. Suppression of riot by magistrates and police officers.
- 263. Suppression of riot by person acting under lawful orders.
- 264. Suppression of riot by person acting without order in case of emergency.
- 265. Riot: Persons subject to military law.
- 266. Prevention of crimes and offences for which an offender may be arrested without warrant:  
Prevention of violence by persons of unsound mind.
- 267. Defence of dwelling-house.
- 268. Provocation.
- 269. Defence of provocation.
- 270. Prevention of repetition of insult.
- 271. Self-defence against unprovoked assault.
- 272. Self-defence against provoked assault.
- 273. Aiding in self-defence.
- 274. Defence of moveable property against trespassers.
- 275. Defence of moveable property with claim of right.
- 276. Defence of moveable property without claim of right.
- 277. Defence of premises against trespassers: Removal of disorderly persons.
- 278. Defence of possession of real property or vessel with claim of right.
- 279. Exercise of right of way or easement.
- 280. Domestic discipline.
- 281. Discipline of ship.
- 282. Surgical operations.
- 283. Excessive force.
- 284. Consent to death immaterial.



(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART V—OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS**

**CHAPTER XXVII—DUTIES RELATING TO THE PRESERVATION OF HUMAN LIFE**

- 285. Duty to provide necessities.
- 286. Duty of head of family.
- 287. (repealed) Duty of masters.
- 288. Duty of persons doing dangerous acts.
- 289. Duty of persons in charge of dangerous things.
- 290. Duty to do certain acts.

**CHAPTER XXVIII—HOMICIDE: SUICIDE: CONCEALMENT OF BIRTH**

- 291. Killing of a human being unlawful.
- 292. When a child becomes a human being.
- 293. Definition of killing.
- 294. Death by acts done at childbirth.
- 295. Causing death by threats.
- 296. Acceleration of death.
- 297. When injury or death might be prevented by proper precaution.
- 298. Injuries causing death in consequence of subsequent treatment.
- 299. (repealed) Limitation as to time of death.
- 300. Unlawful homicide.
- 301. (repealed) Definition of wilful murder.
- 302. Definition of murder.
- 303. Definition of manslaughter.
- 304. Killing on provocation.
- 304A. Diminished responsibility.
- 305. Punishment of murder.
- 306. Attempt to murder.
- 307. Accessory after the fact to murder.
- 308. Written threats to murder.
- 309. Conspiring to murder.
- 310. Punishment of manslaughter.
- 311. Aiding suicide.
- 312. (repealed) Attempting to commit suicide.
- 313. Killing unborn child.
- 314. Concealing the birth of children.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART V—OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS**

**CHAPTER XXIX—OFFENCES ENDANGERING LIFE OR HEALTH**

- 315. Disabling in order to commit indictable offence.
- 316. Stupefying in order to commit indictable offence.
- 317. Acts intended to cause grievous bodily harm or prevent apprehension.
- 318. Preventing escape from wreck.
- 319. Intentionally endangering safety of persons travelling by railway.
- 319A. (repealed) Endangering safety of persons travelling by aircraft
- 320. Grievous bodily harm.
- 321. Attempting to injure by explosive substances.
- 322. Maliciously administering poison with intent to harm.
- 323. Wounding and similar acts.
- 324. Failure to supply necessities.
- 325. Endangering life or health of apprentices or servants.
- 326. Endangering life of children by exposure.
- 327. Setting man-traps.
- 328. Negligent acts causing harm.
- 329. Endangering safety of persons travelling by railway.
- 330. Sending or taking unseaworthy ships to sea.
- 331. Endangering steamships by tampering with machinery.
- 332. The like by engineers.
- 333. Evading laws as to equipment of ships and shipping dangerous goods.
- 334. Landing explosives.

**CHAPTER XXX—ASSAULTS**

- 335. Common assault.
- 336. Assault with intent to commit unnatural offence.
- 337. Indecent assault on males.
- 338. Assaults on persons protecting wrecks.
- 339. Assaults occasioning bodily harm.
- 340. Serious assaults.

**CHAPTER XXXI—ASSAULTS PUNISHABLE ON SUMMARY CONVICTION**

- 341. Jurisdiction of justices.
- 342. Some assaults not to be so dealt with.
- 343. Common assaults.
- 344. Aggravated assaults.
- 345. Effect of summary conviction or dismissal.
- 346. Assaults in interference with freedom of trade or work.

**CHAPTER XXXII—ASSAULTS ON FEMALES: ABDUCTION**

- 347. Definition of rape.
- 348. Punishment of rape.
- 349. Attempt to commit rape.
- 350. Indecent assaults on females.
- 351. Abduction.
- 352. Abduction of girls under [seventeen].
- 353. Rule of evidence.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART V—OFFENCES AGAINST THE PERSON AND RELATING TO MARRIAGE  
RIGHTS AND DUTIES AND REPUTATION OF INDIVIDUALS**

**CHAPTER XXXIII—OFFENCES AGAINST LIBERTY**

- 354. Kidnapping.
- 355. Deprivation of liberty.
- 356. False certificates by officers charged with duties relating to liberty.
- 357. Concealment of matters affecting liberty.
- 358. Unlawful custody of insane person.
- 359. Threats.

**CHAPTER XXXIV—OFFENCES RELATING TO MARRIAGE AND  
PARENTAL RIGHTS AND DUTIES**

- 360. Bigamy.
- 361. Unlawful celebration of marriage.
- 362. Unqualified persons procuring registration as persons qualified to celebrate marriages.
- 363. Child-stealing.
- 364. Desertion of children.

**CHAPTER XXXV—DEFAMATION**

- 365. (repealed) Definition of “periodical”.
- 366. (repealed) Definition of defamatory matter.
- 367. (repealed) Questions of fact and law.
- 368. (repealed) Definition of defamation.
- 369. (repealed) Publication.
- 370. (repealed) Publication of defamatory matter *primâ facie* unlawful.
- 371. (repealed) Absolute protection: Privilege of Parliament.
- 372. (repealed) Absolute protection: Privileges of Judges, witnesses, and others in courts of justice.
- 373. (repealed) Absolute protection: Reports of official inquiries.
- 374. (repealed) Protection: Reports of matters of public interest.
- 375. (repealed) Protection: Fair comment.
- 376. (repealed) Protection: Truth.
- 377. (repealed) Qualified protection: Excuse.
- 378. (repealed) Good faith.
- 379. (repealed) Relevancy and public benefit questions of fact.
- 380. (repealed) Unlawful publication of defamatory matter.
- 381. (repealed) Defamation of members of Parliament by strangers.
- 382. (repealed) Defence in case of defamation by words, sounds, signs, signals, or gestures.
- 383. (repealed) Publishing or threatening to publish defamatory matter with intent to extort money.
- 384. (repealed) Liability of proprietor, publisher, and editor of periodicals.
- 385. (repealed) Protection of innocent sellers of periodicals.
- 386. (repealed) Protection of innocent sellers of books.
- 387. (repealed) Protection of employers.
- 388. (repealed) Prosecution of newspapers to be by sanction of a Judge after notice.
- 389. (repealed) Summary jurisdiction in trivial cases of defamation.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI-OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I-STEALING AND LIKE OFFENCES**

**CHAPTER XXXVI-STEALING**

- 390. Things capable of being stolen.
- 391. Definition of stealing.
- 392. Special cases.
- 393. Funds, &c., held under direction.
- 394. Funds, &c., received by agents for sale.
- 395. Money received for another.
- 396. Stealing by persons having an interest in the thing stolen.
- 397. (repealed) Husband and wife.
- 398. Punishment of stealing.

**PUNISHMENT IN SPECIAL CASES**

- I. Stealing wills.
- II. Stealing things sent by post.
- III. Stealing cattle.
- IV. Stealing from the person; stealing goods in transit, &c.
- V. Stealing by persons in the public service.
- VI. Stealing by clerks and servants.
- VII. Stealing by directors or officers of companies.
- VIII. Stealing by agents, &c.
- IX. Stealing property of value of £ 500.
- X. Stealing by tenants or lodgers.
- XI. Stealing after previous conviction.

**CHAPTER XXXVII-OFFENCES ANALOGOUS TO STEALING**

- 399. Concealing registers.
- 400. (repealed) Concealing wills.
- 401. (repealed) Concealing deeds.
- 402. Killing animals with intent to steal.
- 403. Severing with intent to steal.
- 404. Using registered brands with criminal intention.
- 405. (repealed) Fraudulently dealing with minerals in mines.
- 406. Bringing stolen goods into Queensland.
- 407. (repealed) Fraudulent disposition of mortgaged goods.
- 408. (repealed) Fraudulent appropriation of power.
- 408A. Unlawful user or possession of motor vehicles, aircraft or vessels
- 408B. (repealed) Indictable offences relating to user or possession of motor vehicles, aircraft or vessels that may be dealt with summarily.
- 408C. (repealed) Misappropriation of property

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI—OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I—STEALING AND LIKE OFFENCES**

**CHAPTER XXXVIII—STEALING WITH VIOLENCE: EXTORTION BY THREATS**

- 409. Definition of robbery.
- 410. (repealed) Loaded arms.
- 411. Punishment of robbery.
- 412. Attempted robbery: Accompanied by wounding or in company.
- 413. Assault with intent to steal.
- 414. Demanding property with menaces with intent to steal.
- 415. Demanding property by written threats.
- 416. (repealed) Attempts at extortion by threats.
- 417. (repealed) Procuring execution of deeds, &c., by threats.

**CHAPTER XXXIX—BURGLARY: HOUSEBREAKING: AND LIKE OFFENCES**

- 418. Definitions.
- 419. Housebreaking: Burglary.
- 420. (repealed) Entering dwelling-house with intent to commit crime.
- 421. Breaking into buildings and committing crime.
- 422. (repealed) Breaking into buildings with intent to commit crime.
- 423. (repealed) Breaking into place of worship and committing crime.
- 424. (repealed) Breaking into place of worship with intent to a commit crime.
- 425. Persons found armed, &c., with intent to commit crime.
- 425A. (repealed) Definitions for purposes of Chapter
- 426. (repealed) Definition.
- 427. Obtaining goods by false pretences.
- 427A. Obtaining property by passing valueless cheques
- 428. (repealed) Obtaining execution of security by a false pretences.
- 429. (repealed) Cheating
- 430. Conspiracy to defraud
- 431. Frauds on sale or mortgage of property
- 432. Pretending to exercise witchcraft or tell fortunes

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI—OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I—STEALING AND LIKE OFFENCES**

**CHAPTER XLI—RECEIVING PROPERTY STOLEN OR FRAUDULENTLY OBTAINED  
AND LIKE OFFENCES**

433. Receiving stolen property, &c.  
434. (repealed) Receiving after [change of ownership].  
435. (repealed) Taking reward for recovery of property obtained by means of indictable offences.

**CHAPTER XLII—FRAUDS BY TRUSTEES AND OFFICERS OF  
COMPANIES AND CORPORATIONS: FALSE ACCOUNTING**

436. (repealed) Trustees fraudulently disposing of trust property.  
437. (repealed) Directors and officers of corporations or companies  
(repealed) fraudulently appropriating property, or keeping fraudulent accounts, or  
(repealed) falsifying books or accounts.  
438. (repealed) False statements by officials of companies.  
439. (repealed) Defence.  
440. Misappropriation by members of local authorities.  
441. Fraudulent false accounting.  
442. False accounting by public officer.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI—OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I—STEALING AND LIKE OFFENCES**

**CHAPTER XLIIA—SECRET COMMISSIONS**

442A. (1) Definitions –

Agent,  
Contract,  
Court,  
Local Authority,  
Principal,  
Trustee,  
Valuable consideration,  
Advice given,  
In relation to his principal's affairs or business.  
Person having business relations with principal.  
Solicit any valuable consideration, &c.

442A. (2) Prohibition of indirect acts

442B. Receipt or solicitation of secret commission by an agent:  
Gift or offer of secret commission to an agent.

442C. (1) Secret gifts received by parent, wife, child, partner, &c., of agent.  
(2) Secret gifts to parent, wife, child, partner, &c., of agent.

442D. False or misleading receipt or account.

442E. (1) Secret commission for advice given.  
(2) Offer or solicitation of secret commission in return for advice given or to be given.

442F. Secret commission to trustee in return for substituted appointment.

442G. Liability of director, &c., acting without authority.

442H. (repealed) Offences: Trial by jury: Time for prosecutions.

442I. Penalty on conviction.

442J. Court may order withdrawal of trifling or technical cases.

442K. Witness giving answers criminating himself.

442L. (1) Certificate to witness.  
(2) Stay of proceedings against such witness.

442M. (1) Custom of itself no defence.  
(2) Burden of proof that gift not secret commission.  
(3) Consent to prosecution.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI-OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I-STEALING AND LIKE OFFENCES**

**CHAPTER XLIII-SUMMARY CONVICTION FOR STEALING  
AND LIKE INDICTABLE OFFENCES**

443. Indictable offences which may be dealt with summarily.  
444. (repealed) Procedure.

**CHAPTER XLIV-OFFENCES ANALOGOUS TO STEALING  
PUNISHABLE ON SUMMARY CONVICTION**

445. Unlawfully using cattle.  
446. Suspicion of stealing cattle.  
447. Illegal branding.  
448. Defacing brands.  
[448A. Having in possession an animal with defaced brand.]  
449. (repealed) Time for prosecution.  
450. (repealed) Committal for trial.  
451. (repealed) Unlawful possession of shipwrecked goods.  
452. (repealed) Offering shipwrecked goods for sale.  
453. (repealed) Unlawfully dredging for oysters.  
454. (repealed) Unlawfully taking fish.  
455. (repealed) Arrest without warrant.  
456. (repealed) Warrant in first instance.  
457. (repealed) Effect of summary conviction and of civil proceedings.

**DIVISION II-INJURIES TO PROPERTY**

**CHAPTER XLV-DEFINITIONS**

458. Unlawful acts.  
459. Acts done with intent to defraud.  
460. (repealed) Damage.

**CHAPTER XLVI-OFFENCES**

461. Arson  
462. Attempts to commit arson  
463. Setting fire to crops and growing plants  
464. (repealed) Attempting to set fire to crops, &c.  
465. (repealed) Casting away ships.  
466. (repealed) Attempts to cast away ships.  
467. Obstructing and injuring railways.  
467A. (repealed) Endangering the Safe Use of an Aircraft  
468. Injuring animals.  
469. Malicious injuries in general.



(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI—OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I—STEALING AND LIKE OFFENCES**

**PUNISHMENT IN SPECIAL CASES**

- I. Destroying or damaging an inhabited house or a vessel with explosives.
- II. Sea bank or sea wall, navigation works or bridges.
- III. Wills and registers.
- IV. Wrecks.
- V. Railways.
- VII. Other things of special value.
- VIII. Deeds and records.

- 470. Attempts to destroy property by explosives.
- 470A. Unlawful deposition of explosives
- 471. Attempts to injure mines.
- 472. Interfering with marine signals.
- 473. Interfering with navigation works.
- 474. Communicating infectious diseases to animals.
- 475. Travelling with infected animals.
- 476. (repealed) Removing boundary marks.
- 477. Obstructing railways.
- 478. Sending letters threatening to burn or destroy.
- 479. Arrest without warrant.

**CHAPTER XLVII—SUMMARY CONVICTION FOR CERTAIN OFFENCES**

- 480. (repealed) Offences which may be dealt with summarily.
- 481. (repealed) Procedure.
- 482. (repealed) Trivial charges.
- 483. (repealed) Effect of summary conviction and of civil proceedings.

**DIVISION III—FORGERY AND LIKE OFFENCES. PERSONATION**  
**CHAPTER XLVIII—FORGERY IN GENERAL: DEFINITIONS**

- 484. Definitions.
- 485. (repealed) Further definitions.
- 486. (repealed) Definition of forgery.
- 487. (repealed) Certain matters immaterial.

**CHAPTER XLIX—PUNISHMENT OF FORGERY AND LIKE OFFENCES**

- 488. Punishment of forgery in general.

**PUNISHMENT IN SPECIAL CASES**

- I. Public seals, &c.
- II. Securities, titles, registers, &c.
- III. Documents relating to revenue and acts of State, &c.
- IV. Court seals, records, process, evidence, &c.
- V. Telegrams.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI—OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION I—STEALING AND LIKE OFFENCES**

**CHAPTER XLIX—PUNISHMENT OF FORGERY AND LIKE OFFENCES (continued)**

- 489. (repealed) Uttering false documents and counterfeit seals.
- 490. (repealed) Uttering cancelled or exhausted documents.
- 491. (repealed) Uttering cancelled stamps.
- 492. (repealed) Procuring execution of documents by false pretences.
- 493. (repealed) Obliterating crossings on cheques.
- 494. (repealed) Making documents without authority.
- 495. (repealed) Demanding property upon forged [testamentary] instruments.
- 496. (repealed) Purchasing forged bank notes.
- 497. (repealed) False certificate of message received by telegraph.
- 498. Falsifying warrants for money payable under public authority.
- 499. Falsification of registers.
- 500. Sending false certificate of marriage to registrar.
- 501. False statements for the purpose of registers of births, deaths, and marriages.
- 502. Attempts to procure unauthorised status.
- 503. (repealed) Counterfeiting trade marks.
- 504. (repealed) Circulating false copies of rules or lists of members of societies or companies.

**CHAPTER L—FORGERY AND LIKE OFFENCES PUNISHABLE ON SUMMARY CONVICTION**

- 505. (repealed) Sending false telegrams.
- 506. (repealed) Forgery of seamen's tickets or documents under Factories and Shops Act.
- 507. (repealed) Fraudulent use of adhesive stamps.
- 508. (repealed) False warranties or labels relating to the sale of food.
- 509. (repealed) Provisions of this Chapter alternative.

**CHAPTER LI—PREPARATION FOR FORGERY**

- 510. Instruments and materials for forgery.
- 511. (repealed) Counterfeit stamps.
- 512. (repealed) Paper for postal purposes.
- 513. (repealed) Paper and dies for postage stamps.

**CHAPTER LII—PERSONATION**

- 514. Personation in general.
- 515. Falsely acknowledging deeds, recognizances, &c.
- 516. (repealed) Personation of a person named in a certificate.
- 517. (repealed) Lending certificates for personation.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VI-OFFENCES RELATING TO PROPERTY AND CONTRACTS**

**DIVISION IV-OFFENCES CONNECTED WITH TRADE  
AND BREACH OF CONTRACT**

**CHAPTER LIII-FRAUDULENT DEBTORS**

- 518. (repealed) Definition.
- 519. (repealed) Absconding with property in contemplation of or immediately after insolvency.
- 520. (repealed) Frauds by insolvents.
- 521. (repealed) Other frauds by insolvents.
- 522. (repealed) Falsification of books by insolvents.
- 523. (repealed) Frauds by insolvents in course of insolvency proceedings.
- 524. (repealed) Failure by insolvents to discover property.
- 525. (repealed) Failure to keep proper books.
- 526. (repealed) Concealing documents.
- 527. (repealed) Receiving insolvent's property with intent to defraud.
- 528. (repealed) Making false claim in insolvency.
- 529. (repealed) Concealing property of insolvents.
- 530. (repealed) Fraudulent dealing with property by debtors.

**CHAPTER LIV-OTHER OFFENCES**

- 531. (repealed) Concealment by officers of companies on reduction of capital.
- 532. (repealed) Falsification of books of companies.
- 533. Mixing uncertified with certified articles.
- 534. (repealed) Intimidation of workmen and employers.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VII-PREPARATION TO COMMIT OFFENCES:  
CONSPIRACY: ACCESSORIES AFTER THE FACT**

**CHAPTER LV-ATTEMPTS AND PREPARATION TO COMMIT OFFENCES**

- 535. Attempts to commit offences.
- 536. Punishment of attempts to commit crimes.
- 537. Punishment of attempts to commit misdemeanours.
- 538. Reduction of punishment.
- 539. Attempts to procure commission of criminal acts.
- 540. Preparation to commit crimes with explosives, &c.

**CHAPTER LVI-CONSPIRACY**

- 541. Conspiracy to commit crime.
- 542. Conspiracy to commit other offences.
- 543. Other conspiracies.
- [543A. Industrial disputes.]

**CHAPTER LVII-ACCESSORIES AFTER THE FACT**

- 544. Accessories after the fact to crimes.
- 545. Accessories after the fact to misdemeanours and some other offences.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LVIII-ARREST**

- 546. Arrest without warrant generally.
- 547. Arrest without warrant in special cases.
- 547A. Arrest of persons found committing offences on aircraft
- 548. Arrest of persons found committing offences.
- 549. Arrest of offender committing indictable offences by night.
- 550. Arrest during flight.
- 551. Arrest of persons offering stolen property for sale, &c.
- 552. Duty of persons arresting.

**CHAPTER LIX-JURISDICTION: PRELIMINARY PROCEEDINGS: BAIL**

- 553. Jurisdiction.
- 554. Preliminary proceedings on charges of indictable offences.
- 555. (repealed) Bail.
- 556. (repealed) Summary convictions: Time.
- 557. Place of trial.
- 558. Persons brought before wrong court.
- 559. Change of place of trial.

**CHAPTER LX-INDICTMENTS**

- 560. Nature of indictments.
- 561. *Ex officio* informations.
- 562. Arrest of person charged in *ex officio* information.
- 563. *Nolle prosequi*.
- 564. Form of indictment.
- 565. General rules applicable to indictments.
- 566. Particular indictments.
- 567. Indictment to contain one matter of charge only.
- 568. Cases in which several charges may be joined.
- 569. Accessories.
- 570. Statement of previous conviction.
- 571. Formal defects.
- 572. Amendment of indictments.
- 573. Particulars.
- 574. Summary convictions.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LXI-EFFECT OF INDICTMENT**

- 575. Offences involving circumstances of aggravation.
- 576. Charge of murder or manslaughter.
- 577. Charge of homicide of child.
- 578. Charge of rape and like offences.
- 579. Charge of specific injury: Charge of injury with specific intent.
- 580. Charge of injury to property.
- 581. Stealing, false pretences, and cheating.
- 582. Charge of procuring commission of offence or wrongful act.
- 583. Conviction for attempt to commit offence.
- 584. When evidence shows offence of similar nature.
- 585. Effect of conviction.
- 586. Corrupt practices.
- 587. Illegal practices.
- 588. Charge of stealing cattle.
- 589. Indictment for joint receiving.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

PART VIII-PROCEDURE

CHAPTER LXII-TRIAL: ADJOURNMENT: PLEAS: PRACTICE

- 590. Right to be tried.
- 590A. Notice of alibi
- 591. Accelerating trial of persons not under committal.
- 592. Adjournment of trial.
- 593. Directions as to trial upon adjournment.
- 593A. Enlargement of Notices to Witnesses on adjournment of trial.
- 593B. (repealed) On adjournment of trial accused may be remanded to another court having jurisdiction.
- 594. Accused person to be called upon to plead to indictment.
- 595. Delivery of copy of indictment.
- 596. Motion to quash indictment.
- 597. Misnomer.
- 598. Pleas.
- 599. Defence of truth of defamatory matter to be specially pleaded.
- 600. Persons committed for sentence.
- 601. Standing mute.
- 602. Plea of *autrefois* convict or *autrefois acquit*.
- 603. Trial on plea to the jurisdiction.
- 604. Trial by jury.
- 605. Demurrer.
- 606. Separate trials.
- 607. Juries.
- 608. (repealed) Accused person to be informed of his right of challenge.
- 609. (repealed) Challenge to array.
- 610. (repealed) Challenges to individual jurors for cause.
- 611. (repealed) Time for challenging.
- 612. (repealed) Ascertainment of facts as to challenge.
- 613. Want of understanding of accused person.
- 614. Jury to be sworn and informed of charge.
- 615. Discharge of juror by court.
- 616. Defence by counsel.
- 617. Presence of accused.
- 618. Evidence in defence.
- [618A. (repealed)]
- 619. Speeches by counsel.
- 620. Summing up.
- 621. (repealed) Jury not to separate.
- 622. (repealed) Confinement of jury.
- 623. (repealed) View.
- 624. Special verdict.
- 625. General verdict on charge of defamation.
- 626. (repealed) Discharge of jury.
- 627. (repealed) Incapacity of judge.
- 628. (repealed) Incapacity and unavailability of juror.
- 629. (repealed) Verdict on Sunday.
- 630. Procedure on charge of an offence committed after previous conviction.
- 631. Further pleas.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LXIII-EVIDENCE: PRESUMPTIONS OF FACT**

- 632. Accomplices.
- 633. (repealed) Evidence on charge of treason.
- 634. Evidence on trials for perjury and subornation.
- 635. Evidence of previous conviction.
- 636. Evidence of relationship on charge of incest.
- 637. (repealed) Evidence of gaming.
- 638. Evidence of authority.
- 639. Evidence on charge of offences against Customs laws.
- 640. (repealed) Evidence on trial for defamation.
- 641. Evidence on certain charges of stealing money.
- 642. Evidence on charges relating to seals and stamps.
- 643. Intention to defraud.
- 644. Admissions.

**CHAPTER LXIV-VERDICT: JUDGMENT**

- 645. Accused person insane during trial.
- 646. Discharge of persons acquitted.
- 647. Acquittal on ground of insanity.
- 648. Convicted person to be called on to show cause.
- 649. Arrest of judgment.
- 650. Sentence.
- [651. -653. *Repealed by the criminal Code Amendment Act of 1922, s. 3 (xviii), post.*]
- 654. (repealed) Solitary confinement.
- 655. (repealed) Whipping.
- 656. (repealed) Conditional suspension of punishment on first conviction.
- 657. (repealed) Discharge of offender in certain cases.
- 657A. (repealed) Power to permit release of certain persons charged.
- 658. (repealed) Assessment of value of property: Appropriation of fines dependent on value.
- 659. Effect of summary conviction for indictable offences.

**[CHAPTER LXIVA-HABITUAL CRIMINALS**

- 659A. (repealed) Judge may declare convicted person an habitual criminal.
- 659B. (repealed) Reformatory prisons.
- 659C. (repealed) Prisons Act and Code to apply.
- 659D. (repealed) Detention of habitual criminals.
- 659E. (repealed) Alcoholic liquor prohibited.
- 659F. (repealed) Prisoners to be employed.
- 659G. (repealed) Discharge.
- 659H. (repealed) Conditions under which offender may be arrested.
- 659I. (repealed) Regulations.]



(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LXV-COSTS**

- 660. Costs of prosecutions in certain cases.
- 661. **(repealed)** Costs in cases of defamation.
- 662. Taxation.
- 663. Enforcement of judgment of Circuit Court.

**CHAPTER LXV A-COMPENSATION FOR INJURY**

- 663A. **(repealed)** Interpretation
- 663AA. **(repealed)** Particular prescribed amounts
- 663B. Court may order payment for compensation
- 663BA. Further matters for consideration by Court in determining amount of order
- 663C. Governor in Council may approve ex gratia payment where offender convicted
- 663D. Governor in Council may approve ex gratia payment in other cases
- 663E. General

**CHAPTER LXVI-EXECUTION OF SENTENCE**

- [664. -665. Repealed by the Criminal Code Amendment Act of 1922, s. 3 (xix), post.]
- 666. **(repealed)** Whipping.
- 667. **(repealed)** Levy of fine and costs on convictions for defamation.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LXVII-APPEAL: PARDON**

- [668. Definitions.
- 668A. Court of Criminal Appeal.
- 668B. Reservation of points of law.
- 668C. Appeal from arrest of judgment.
- 668D. Right of appeal.
- 668E. Determination of appeal in ordinary cases.
- 668F. Powers of court in special cases.
- 669. Power to grant new trial.
- 670. Revesting and restitution of property on conviction.
- 671. Time for appealing.
- 671A. Judge's notes and report to be furnished on appeal.
- 671B. Supplemental powers.
- 671C. (repealed) Legal assistance to appellant.
- 671D. Right of appellant to be present.
- 671E. Appeals permitted in writing.
- 671F. Costs of appeal.
- 671G. Admission of appellant to bail and custody when attending court.
- 671H. Duties of registrar.
- 671I. Documents, exhibits, &c.
- 671K. Shorthand notes of trial.
- 671L. Powers exercisable by a Judge.
- 672. Appeals from the decisions of the Court.
- 672A. Pardoning power preserved.]
- 673. (repealed) Appeals from summary convictions to Supreme Court.
- 674. (repealed) Appeals from summary convictions to District Court.
- 675. Conditional remission of sentence by Governor.
- 676. Pardon in case of imprisonment for non-payment of money.
- 677. Effect of pardon.

(63 Vic. No. 9.)  
**THE CRIMINAL CODE, 1899**

**PART VIII-PROCEDURE**

**CHAPTER LXVIII-SUMMARY TRIAL OF CHILDREN UNDER TWELVE**

678. Summary jurisdiction of justices in case of indictable offences committed by children not more than twelve years of age.

**CHAPTER LXIX-SEIZURE AND DETENTION OF PROPERTY CONNECTED WITH OFFENCES;  
CUSTODY OF WOMEN UNLAWFULLY DETAINED FOR IMMORAL PURPOSES;  
RESTITUTION OF PROPERTY UNLAWFULLY ACQUIRED**

679. (repealed) Search warrant.  
680. Property found on offenders on arrest.  
680A. (repealed) Power of search on arrest.  
681. (repealed) Seizure of counterfeit coin, tools for coining, &c.  
682. Disposal of property seized.  
683. Explosives.  
684. (repealed) Women detained for immoral purposes.  
685. (repealed) Restitution of property.

**CHAPTER LXX-INFORMATIONS BY PRIVATE PERSONS FOR  
INDICTABLE OFFENCES: EX OFFICIO INDICTMENTS**

686. Information by leave of the court by private prosecutors.  
687. Security to be given by prosecutor for costs of defence.  
688. Service of information.  
689. Plea.  
690. Default of plea.  
691. Time and place of trial.  
692. Effect of judgment for prosecutor on demurrer.  
693. Effect of judgment by default.  
694. Costs of defence.  
695. Practice to be applied on *ex officio* information.

**CHAPTER LXXI-MISCELLANEOUS PROVISIONS**

696. Names of jury to be given to person charged with treason or concealment of treason.  
697. Court may direct certain persons to be prosecuted for perjury.  
698. (repealed) Committal of fraudulent debtors.  
699. Staying prosecution for publication of parliamentary paper.  
700. Certificate of dismissal by justices.  
701. (repealed) Custody of girls under [twenty-one].  
702. Saving of civil remedies.  
703. (repealed) Limitation of proceedings.  
704. No court fees in criminal cases.  
705. Copies of depositions to be allowed to persons committed for trial.  
706. Inspection of depositions at trial.  
707. Forms of criminal proceedings  
707.[(2) General rules as to criminal appeals.]